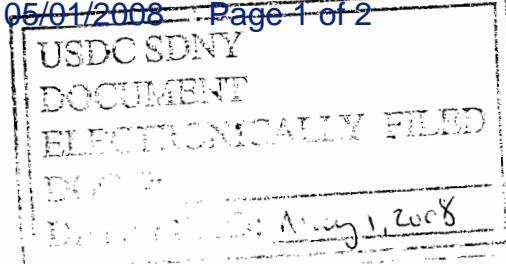


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
Francisco Lozada,



Plaintiff,
-against-

07 Civ. 10551 (DAB)
ORDER

Thomas Dekoker and John Does,

Defendants.

-----X
DEBORAH A. BATTS, United States District Judge.

The Court is in receipt of the Defendant's letters of March 28, 2008 and April 25, 2007 and Plaintiff's letters received in Chambers on March 14, 2008 and April 22, 2008. Defendant indicates that "[w]hether plaintiff is convicted in the underlying criminal matter will directly affect the viability of plaintiff's false arrest claim" and that "plaintiff's Fifth Amendment privilege against self incrimination might be undermined" by concurrent civil proceedings. (Letter of Frank, Apr. 25, 2008, at 2.)

Therefore, pursuant to Rule 20 of the Rules for the Division of Business among District Judges of the Southern District of New York which provides that "[a] civil case which, for reasons beyond the control of the court, can neither be tried nor otherwise terminated shall be transferred to the suspense docket",

IT IS HEREBY ORDERED THAT the Clerk of Court shall transfer this case to the suspense docket until and unless the Court

grants a request by the parties to reassign the case to this Court.

SO ORDERED.

Dated: New York, New York

May 1, 2008

Deborah A. Batts
DEBORAH A. BATTS
United States District Judge